

CONSOLIDATED CHECKLIST C1

Hazardous Waste Management System: General 40 CFR Part 260 as of June 30, 1996 as published in the July 1, 1996 CFR

Note: Paragraphs 260.11(a) and (b), in Subpart B, were revised by the December 6, 1994, final rule published at 59 FR 62896-62953. Its applicable provisions are included in Revision Checklist 154 which is a consolidation of all the rules associated with the organic air emission standards for tanks, surface impoundments, and container requirements (Subpart CC of Parts 264 and 265). EPA strongly recommends States wait to adopt Revision Checklist 154 in its entirety (including all rules published through November 25, 1996) rather than adopting the December 6, 1994, final rule as represented on this consolidated checklist. The December 6, 1994, rule is designated as rule 154.1 in the Checklist Reference column.

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE

SUBPART A - GENERAL

PURPOSE, SCOPE, AND APPLICABILITY

part provides definition of terms, general standards, and overview information	*,34	260.1(a)					
purpose of 260.2	*,34	260.1(b)(1)					
purpose of 260.3	*,34	260.1(b)(2)					
purpose of 260.10	*,34	260.1(b)(3)					
purpose of 260.20	*,34	260.1(b)(4)					
purpose of 260.21	*	260.1(b)(5)					
purpose of 260.22	*	260.1(b)(6)					

USE OF NUMBER AND GENDER

use of number and gender in 260-265 and 268	*,34	260.3					
masculine includes feminine and neuter	*	260.3(a)					
words in singular include plural	*	260.3(b)					
words in plural include singular	*	260.3(c)					

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40 CFR Part 260 as of June 30, 1996 (cont'd)

FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
SUBPART B - DEFINITIONS							
DEFINITIONS							
terms have the following meanings throughout 260-266, 268, and 270 through 273	*,34,85, †142 A	260.10(intro)					
"above ground tank"	28	260.10					
"Act" or "RCRA"	*	260.10					
"active life"	24	260.10					
"active portion"	*	260.10					
"Administrator"	*	260.10					
"ancillary equipment"	28	260.10					
"aquifer"	*	260.10					
"authorized representative"	*	260.10					
"battery"	142 B	260.10					
		260.10					
		260.10(1)(i)					
		260.10(1)(ii)					
		260.10(1)(iii)					
		260.10(1)(iv)					
		260.10(2)					
"boiler"	13	260.10(2)					
"carbon regeneration unit"	85	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"certification"	*	260.10					
"closed portion"	*	260.10					
"component"	28	260.10					
"confined aquifer"	*	260.10					
"container"	*	260.10					
"containment building"	109	260.10					
"contingency plan"	*	260.10					
† "corrective action management unit" or "CAMU"	121	260.10					
"corrosion expert"	28	260.10					
"designated facility"	*,†13,71	260.10					
† "destination facility"	142 A	260.10					
"dike"	*	260.10					
"discharge" or "hazardous waste discharge"	*	260.10					
"disposal"	*	260.10					
"disposal facility"	*,†121	260.10					
"drip pad"	82	260.10					
"elementary neutralization unit"	*,52	260.10					
		260.10(1)					
		260.10(2)					
"EPA hazardous waste number"	*	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"EPA identification number"	*	260.10					
"EPA region"	*	260.10					
"equivalent method"	*	260.10					
"existing hazardous waste management (HWM) facility" or "existing facility"	*	260.10					
		260.10(1)					
		260.10(2)(i)					
		260.10(2)(ii)					
"existing portion"	*	260.10					
"existing tank system" or "existing component"	28	260.10					
"facility"	*,†121	260.10					
		260.10(1)					
		260.10(2)					
"Federal agency"	*	260.10					
"Federal, State and local approvals or permits necessary to begin physical construction"	*	260.10					
"final closure"	24	260.10					
"food-chain crops"	*	260.10					
"free liquids"	*	260.10					
"freeboard"	*	260.10					
"generator"	*	260.10					
"ground water"	*	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"hazardous waste"	*	260.10					
"hazardous waste constituent"	*	260.10					
"hazardous waste management unit"	24	260.10					
"in operation"	*	260.10					
"inactive portion"	*	260.10					
"incinerator"	*,13,85	260.10					
		260.10(1)					
		260.10(2)					
"incompatible waste"	*	260.10					
		260.10(1)					
		260.10(2)					
"individual generation site"	*	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
		260.10					
		260.10(1)					
		260.10(2)					
		260.10(3)					
		260.10(4)					
		260.10(5)					
		260.10(6)					
		260.10(7)					
		260.10(8)					
		260.10(9)					
		260.10(10)					
		260.10(11)					
		260.10(12)					
		260.10(13)					
		260.10(13)(i)					
		260.10(13)(ii)					
		260.10(13)(iii)					
		260.10(13)(iv)					
		260.10(13)(v)					
"industrial furnace"	13,85	260.10(13)(vi)					
"infrared incinerator"	85,111	260.10					
"inground tank"	28	260.10					
"injection well"	*	260.10					
"inner liner"	*	260.10					
"installation inspector"	28	260.10					
"international shipment"	*	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"landfill"	*,45,†121	260.10					
"landfill cell"	*	260.10					
"land treatment facility"	*	260.10					
"leachate"	*	260.10					
"leak detection system"	28	260.10					
"liner"	*	260.10					
"management" or "hazardous waste management"	*	260.10					
"manifest"	*,5	260.10					
"manifest document number"	*,5	260.10					
"mining overburden returned to the mine site"	*	260.10					
"miscellaneous unit"	45,109, †121	260.10					
"movement"	*	260.10					
"new hazardous waste management facility" or "new facility"	*	260.10					
"new tank system" or "new tank component"	28	260.10					
"on ground tank"	28	260.10					
"on-site"	*	260.10					
		260.10					
		260.10(1)					
		260.10(2)					
		260.10(3)					
"open burning"	*	260.10(3)					
"operator"	*	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"owner"	*	260.10					
"partial closure"	*,24	260.10					
"person"	*	260.10					
"personnel" or "facility personnel"	*	260.10					
†		260.10					
		260.10(1)					
		260.10(2)					
		260.10(3)					
"pesticide"	142 C	260.10(3)					
"pile"	*,109	260.10					
"plasma arc incinerator"	85,111	260.10					
"point source"	*	260.10					
"publicly owned treatment works" or "POTW"	*	260.10					
† "qualified ground-water scientist"	99	260.10					
"Regional Administrator"	*	260.10					
† "remediation waste"	121	260.10					
"replacement unit"	100	260.10					
"representative sample"	*	260.10					
"run-off"	*	260.10					
"run-on"	*	260.10					
"saturated zone" or "zone of saturation"	*	260.10					
"sludge"	*	260.10					
"sludge dryer"	85	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"Small Quantity Generator"	23	260.10					
"solid waste"	*	260.10					
"sorbent"	118	260.10					
"State"	*	260.10					
"storage"	*	260.10					
"sump"	28,100	260.10					
"surface impoundment" or "impoundment"	*	260.10					
"tank"	*	260.10					
"tank system"	28	260.10					
"thermal treatment"	*	260.10					
† "thermostat"	142 D	260.10					
"totally enclosed treatment facility"	*	260.10					
"transfer facility"	*	260.10					
"transport vehicle"	*	260.10					
"transportation"	*	260.10					
"transporter"	*	260.10					
†		260.10					
		260.10(1)					
		260.10(2)					
		260.10(3)					
		260.10(4)					
"treatability study"	49	260.10(5)					
"treatment"	*	260.10					
"treatment zone"	*	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"underground injection"	*	260.10					
"underground tank"	28	260.10					
"unfit-for-use tank system"	28	260.10					
†	142 A	260.10					
	142 B	260.10(1)					
	142 C	260.10(2)					
	142 D	260.10(3)					
†		260.10					
		260.10(1)					
		260.10(1)(i)					
		260.10(1)(ii)					
		260.10(2)					
		260.10(2)(i)					
		260.10(2)(ii)					
"universal waste handler"	142 A	260.10(2)(ii)					
† "universal waste transporter"	142 A	260.10					
"unsaturated zone" or "zone of aeration"	*	260.10					
"United States"	*	260.10					
"uppermost aquifer"	*	260.10					
"used oil"	112	260.10					
"vessel"	*	260.10					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"wastewater treatment unit"	*,52	260.10					
		260.10(1)					
		260.10(2)					
		260.10(3)					
"water (bulk shipment)"	*	260.10					
"well"	*	260.10					
"well injection"	*	260.10					
"zone of engineering control"	28	260.10					

REFERENCES

"Parts 260 through 270"	*,39	260.11(a)					
"ASTM Standard Test Methods for Flash Point of Liquids by Setaflash Closed Tester"	*	260.11(a)					
"ASTM Standard Test Methods for Flash Point by Pensky-Martens Closed Tester"	*	260.11(a)					
"ASTM Standard Method for Analysis of Reformed Gas by Gas Chromatography"	79	260.11(a)					
"ASTM Standard Test Method for Heat of Combustion of Hydrocarbon Fuels by Bomb Calorimeter"	79	260.11(a)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"ASTM Standard Practices for General Techniques of Ultraviolet-Visible Quantitative Analysis"	79	260.11(a)					
"ASTM Standard Practices for General Techniques of Infrared Quantitative Analysis"	79	260.11(a)					
"ASTM Standard Practice for Packed Column Gas Chromatography"	79	260.11(a)					
"ASTM Standard Test Method for Aromatics in Light Naphthas and Aviation Gasolines by Gas Chromatography"	79	260.11(a)					
"ASTM Standard Test Method for Vapor Pressure-Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteriscope"	79	260.11(a)					
"APTI Course 415: Control of Gaseous Emissions"	79	260.11(a)					
"Flammable and Combustible Liquids Code"	*	260.11(a)					
1 "Test Methods for Evaluating Solid Waste, Physical/Chemical Methods," Third Edition	*,11,35, 67,126, 128,132,1 39,141	260.11(a)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
"Screening Procedures for Estimating the Air Quality Impact of Stationary Sources"	85,125	260.11(a)					
"ASTM Standard Test Methods for Preparing Refuse-Derived Fuel (RDF) Samples for Analyses of Metals," ASTM Standard E926- 88, Test Method C- Bomb, Acid Digestion Method	126	260.11(a)					
2 "API Publication 2517, Third Edition, February 1989, "Evaporative Loss from External Floating Roof Tanks""	154.1	260.11(a)					
2 "ASTM Standard Test Method for Vapor Pressure--Temperature Relationship and Initial Decomposition Temperature of Liquids by Isoteniscope"	154.1	260.11(a)					
3 removed	73,126	260.11(a)					
2 references available at Office of the Federal Register; approved by director; incorporation and changes	*,154.1	260.11(b)					

SUBPART C - RULEMAKING PETITIONS

† GENERAL

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
petition to modify or revoke any provision in Parts 260-266, 268 and 273; purpose of 260.21 and 260.22	*,†34, 111, †142 E	260.20(a)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
submission by certified mail and what each petition must contain	*	260.20(b)					
		260.20(b)(1)					
		260.20(b)(2)					
		260.20(b)(3)					
		260.20(b)(4)					
Administrator makes tentative decision to grant or deny; notice of decision	*	260.20(c)					
informal public hearing	*	260.20(d)					
final decision by Administrator	*	260.20(e)					

† PETITIONS FOR EQUIVALENT TESTING OR ANALYTICAL METHODS

petitions for a regulatory amendment to add testing or analytical methods; what must be demonstrated to the Administrator	*	260.21(a)					
what the petition must include	*	260.21(b)					
		260.21(b)(1)					
		260.21(b)(2)					
		260.21(b)(3)					
		260.21(b)(4)					
		260.21(b)(5)					
additional information	*	260.21(c)					
where an amendment for a new test method will be incorporated	*,11	260.21(d)					

† PETITIONS TO AMEND PART 261 TO EXCLUDE A WASTE PRODUCED AT A PARTICULAR FACILITY

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
petitions to exclude a waste at a particular generating facility	*,†17 B	260.22(a)					
		260.22(a)(1)					
		260.22(a)(2)					
procedures for exclusion from 261.3(a)(2)(ii) or (c) for a waste described in these sections and listed in or derived from a waste in Subpart D; demonstration the petitioner must make; operation of 261, Subpart C	*,†17 B	260.22(b)					
waste listed with codes "I", "C", "R" or "E" in Subpart D	*,†17 B	260.22(c)					
		260.22(c)(1)					
	†17 B	260.22(c)(2)					
waste listed with code "T" in Subpart D	*,†17 B	260.22(d)					
		260.22(d)(1)					
	*,†17 B, 126	260.22(d)(1)(i)					
	*,†17 B	260.22(d)(1)(ii)					
	†17 B	260.22(d)(2)					
		260.22(d)(3)					
		260.22(d)(4)					

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FEDERAL REQUIREMENTS	CHECKLIST REFERENCE	FEDERAL RCRA CITATION	ANALOGOUS STATE CITATION	STATE ANALOG IS:			
				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
waste listed with an "H" code in Subpart D	*,†17 B	260.22(e)					
		260.22(e)(1)					
		260.22(e)(2)					
	†17 B	260.22(e)(3)					
		260.22(e)(4)					
reserved for listing radioactive waste	*	260.22(f)					
reserved for listing infectious waste	*	260.22(g)					
demonstration samples	*	260.22(h)					
what each petition must include in addition to 260.20(b) requirements	*	260.22(i)					
		260.22(i)(1)					
		260.22(i)(2)					
		260.22(i)(3)					
		260.22(i)(4)					
		260.22(i)(5)					
		260.22(i)(6)					
		260.22(i)(7)					
		260.22(i)(8)					
		260.22(i)(9)					
		260.22(i)(10)					
		260.22(i)(11)					
		260.22(i)(12)					
additional information	*	260.22(j)					
waste to which exclusion applies	*	260.22(k)					

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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
exclusion by Administrator of only part of waste for which demonstration was submitted	*	260.22(l)					
remove paragraph 260.22(m)	*,†17 B	260.22(m)					

† PETITIONS TO AMEND 40 CFR PART 273 TO INCLUDE ADDITIONAL HAZARDOUS WASTES

persons seeking to add a hazardous waste or a category to Part 273 universal waste provisions may petition under 260.20, 260.23 and Part 273, Subpart G	142 E	260.23(a)					
what the petitioner must demonstrate to be successful; petition must include 260.20(b) information; petition must address 273.81 factors	142 E	260.23(b)					
Administrator will use 273.81 factors to evaluate and decide; factors on which the decision will be based	142 E	260.23(c)					
Administrator may request additional information	142 E	260.23(d)					

† VARIANCES FROM CLASSIFICATION AS A SOLID WASTE

materials the Administrator may determine as not solid wastes	13, 137	260.30					
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				EQUIV- ALENT	LESS STRIN- GENT	MORE STRIN- GENT	BROADER IN SCOPE
speculative accumulation	13	260.30(a)					
returned to process	13, 137	260.30(b)					
further reclamation	13	260.30(c)					
† STANDARDS AND CRITERIA FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE							
speculative accumulation; standards and criteria on which Administrator's decisions will be based	13, 137	260.31(a)					
	13	260.31(a)(1)					
		260.31(a)(2)					
		260.31(a)(3)					
		260.31(a)(4)					
		260.31(a)(5)					
returned to process; criteria on which Administrator's determination will be based	13, 137	260.31(b)					
	13	260.31(b)(1)					
		260.31(b)(2)					
		260.31(b)(3)					
		260.31(b)(4)					
		260.31(b)(5)					
		260.31(b)(6)					
		260.31(b)(7)					
further reclamation; factors on which Regional Administrator's determination will be based	13	260.31(c)					
		260.31(c)(1)					
		260.31(c)(2)					
		260.31(c)(3)					
		260.31(c)(4)					
		260.31(c)(5)					
	13	260.31(c)(6)					

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† VARIANCE TO BE CLASSIFIED AS A BOILER

case-by-case determination; criteria which must be considered	13, 137	260.32					
provisions for recovering and exporting thermal energy	13	260.32(a)					
integral design	13	260.32(b)					
efficiency of energy recovery	13	260.32(c)					
exported energy utilization	13	260.32(d)					
customary use as a "boiler"	13	260.32(e)					
other factors	13	260.32(f)					

† PROCEDURES FOR VARIANCES FROM CLASSIFICATION AS A SOLID WASTE OR TO BE CLASSIFIED AS A BOILER

procedures for evaluating applications	13, 137	260.33					
where to apply and what the application must address	13, 137	260.33(a)					
tentative decision; notice/public hearing; final decision	13, 137	260.33(b)					

†,4 ADDITIONAL REGULATION OF CERTAIN HAZARDOUS WASTE RECYCLING ACTIVITIES ON A CASE-BY-CASE BASIS

case-by-case determination; factors which will be considered	13	260.40(a)					
types of materials accumulated or stored	13	260.40(a)(1)					

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method of accumulation or storage	13	260.40(a)(2)					
length of time	13	260.40(a)(3)					
release to the environment	13	260.40(a)(4)					
other factors	13	260.40(a)(5)					

†,4 PROCEDURES FOR CASE-BY-CASE REGULATION OF HAZARDOUS WASTE RECYCLING ACTIVITIES

procedures Regional Administrator will use for determination	13	260.41					
notice to generator who is accumulating, setting forth factual basis for decision and 262 Subpart A, C, D & E compliance; public hearing; final order; appeals	13	260.41(a)					
accumulation as a storage facility; permit required; when to apply; ways to challenge decision; public comment period	13	260.41(b)					

¹ There appears to be an error in the Federal Register article addressed by Revision Checklist 126 (58 FR 46040; August 31, 1993) which shows the date of the Third Edition of SW-846 as "September, 1986". The correct date appears to be "November, 1986" as indicated in the Federal Register articles for Revision Checklists 128, 132, 139, and 141.

² Paragraphs 260.11(a) and (b) were revised by the rule 154.1. See the prenote to this consolidated checklist regarding State adoption of Revision Checklist 154.

³ The 47 analytical testing methods were originally added to the Federal code by Revision Checklist 73 (55 FR 8948; March 9, 1990). Revision Checklist 126 (58 FR 46040; August 31, 1993) removed the undesignated introductory paragraph, the list of 47 analytical testing methods, and the footnote. Note that there is an error in the July 1, 1994 CFR: only the introductory paragraph and footnote 1 were removed. This error has remained in the CFR since 1994.

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40 CFR Part 260 as of June 30, 1996 (cont'd)

- ⁴ Not needed if the State does not allow the exclusion of 261.6(a)(2)(iv).